

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE**

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SNMP RESEARCH, INC. and SNMP  
RESEARCH INTERNATIONAL, INC.,

Plaintiffs,

v.

BROADCOM INC.; BROCADE  
COMMUNICATIONS SYSTEMS LLC; and  
EXTREME NETWORKS, INC.,

Defendants.  
----- X

Case No. 3:20-cv-00451-CEA-DCP

U.S. District Judge Charles E. Atchley

**DECLARATION OF PETER LAM**

I, Peter Lam, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a Vice President and Deputy General Counsel of Intellectual Property at Extreme Networks, Inc. (“Extreme”). I have personal knowledge of the facts set forth in this declaration and can and will testify thereto under oath if called to do so.

2. I have reviewed an unredacted copy of Exhibit Z to Declaration of Olivia L. Weber ISO Plaintiffs’ Opposition to Extreme Networks, Inc.’s Supplemental Brief Regarding Privilege Assertions. ECF No. 337-1, at ¶ 27.

3. Exhibit Z is entitled Transition Services Agreement (“TSA”) between Extreme and Avaya, Inc. (“Avaya”) dated July 14, 2017.

4. The TSA (including its attached exhibits) is not a publicly available document. It contains commercially sensitive and detailed information about both Avaya’s and Extreme’s businesses. As explained below, public disclosure of this information would provide information

to Extreme's competitors that would otherwise not be available to them and also put Extreme at a disadvantage in future corporate transactions.

5. For example, Exhibit A to the TSA contains detailed information about Avaya's business, including, for example, details about tools available to and used by its Research and Development Team, payroll services, supply chains and Customer Relationship Management products, data center locations, IT infrastructure, costs and rents associated with certain physical facilities, software applications itemized by usage and internal codes, and internal business processes. *See, e.g.*, Ex. Z, at EXTREME-01383540-3669. This information is not publicly available and provides detailed insights into the workings and infrastructure of the Avaya business that Extreme acquired.

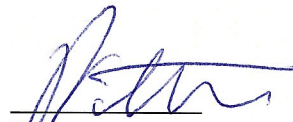
6. As another example, Exhibits A and C also contain detailed and itemized cost information related to the TSA that is commercially sensitive, and if publicly available, will put Extreme at a competitive disadvantage in future acquisitions or corporate transactions. *See, e.g., id.* at EXTREME-01383568—01383669, EXTREME-01383695.

7. As another example, Exhibit C contains detailed information about Avaya's sales and distribution programs that Extreme acquired. This information would be highly valuable to Extreme's competitors and its public accessibility would put Extreme at a competitive disadvantage. *Id.* at EXTREME-01383674.

8. The information in the TSA, individually and collectively, is commercially and competitively sensitive to Extreme.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 8, 2023 in Campbell, CA.

  
Peter Lam